

FIGHT FOR A CHURCH.

Result of the Conflict Over the Famous East End Platform.

SUIT AGAINST THE SECEDEERS.

Judge Stone Hears Arguments on the Title to the Property.

THE LEGAL STATUS OF LAY MEMBERS

An argument was heard by Judge Stone yesterday in the case of the East End Reformed Presbyterian congregation against Rev. O. B. Milligan, J. M. Denholm, W. J. Barnett, William Ross, J. C. Ewing, G. T. Denholm and T. C. Johnson. The suit is a contest for the church property, the defendants having left the Reformed Presbyterian Church as a result of the conflict over the famous East End platform, and formed a United Presbyterian congregation, taking possession of the church property. The plaintiffs are the members of the congregation who remained in the Reformed Presbyterian Church. They want possession of the property and to have the defendants restrained from interfering with them.

The argument yesterday was as a demurrer by the defendants to the plaintiffs' bill, asserting that there is no ground on which to ask the interference of a court of equity and asking that the bill be dismissed.

Title Vested by a Charter.

Major A. M. Brown argued in behalf of the demurrer and S. Schoyer, Esq., appeared for the plaintiffs in the suit. Major Brown, in his argument, made the distinction between the congregation and the chartered corporation in which the title to the property is vested. He said that the title is in the lay members of the congregation. Under the laws of the State and the charter granted by the court the title is in the lay members of the congregation, and not in the members of the church or Session. It had been said that the names of the defendants had been purged from the roll of the congregation, but that they were not purged from the roll of the corporation, and that the law and charter providing that the majority of the members of the congregation should constitute the property, expelled members, etc. A person could be a member of the congregation without being a member of the corporation and not vice versa. The Synod, Presbytery or Session had no authority to do this. The purpose of the law being to prevent the head body of a church obtaining control of a vast amount of property and retaining it in the hands of such a small number, as was the case in other States and in this country. In the present case, the title is in the lay members of the congregation. The plaintiffs suffer no injury that requires the interference of a court of equity. The purpose of the law is to prevent the church from retaining property, and it is being used as such.

Difference Between the Two Churches.

In that usage there is nothing that can injure or inconvenience the plaintiffs. The only difference between the United Presbyterian and the Reformed Presbyterian Churches (both are psalm singing churches) is that the one believes in the right of suffrage and the other does not. As to purging the names of the defendants from the roll of the congregation, the defendants had no doubt that if it was left to the people of Pennsylvania the majority would say that it was a very foolish proceeding for any religious body to throw a man out because he says that it should be left to a man's own conscience whether he should vote or not. In conclusion, Major Brown maintained that on the face of the bill the court had no jurisdiction and he asked that it be dismissed.

The Contention for the Plaintiffs.

Attorney Schoyer spoke next for the plaintiffs. He said that the demurrer itself practically admits the right of the plaintiffs to sign itself as the corporation, and thus acknowledges that the title is in it. When members of a corporation, he continued, refuse to act as such or perform the duties thereof, such members, then individual members have a right to appeal to court. The defendants, by their own acts, had ceased to be members of the congregation, and undertook to prostitute the church to a use for which it is not intended or chartered. It was chartered to "worship Almighty God according to the doctrine, discipline and usages of the Reformed Presbyterian Church of the United States of America." The defendants had resigned from the R. P. Church and done everything to disconnect themselves with the church, and assumed the right to use the edifice, devoted by the charter to the edifice, etc., of the Reformed Presbyterian Church. The title to the church, in as a United Presbyterian Church. There were many questions raised by the case which must come before the court on all the evidence and not on the demurrer. Submitting one proposition made by Major Brown, he said, the church could as easily become the harbor of agnostics and infidels as of Unitarian Presbyterians. If the lay members of the congregation so desired, although it is a Reformed Presbyterian Church. In conclusion he asked that the demurrer be overruled. Judge Stone took the papers and reserved a decision.

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6 lbs Flake Tapioca..... 25
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1 3-lb can black California Cherries..... 10
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1 box Bloaters (30's)..... 25
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10-lb kits No. 1 Mackerel..... 1 35
10 cans Salmon..... 1 00
9 cans Salmon (red, none better)..... 1 00
7 lbs Roasted Coffee, fresh ground..... 1 00
80 bars Family Soap..... 1 00
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30 bars Soap, 5-cent size..... 1 00
5 lbs Tea, in all varieties..... 1 00
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9 lbs Dried Oats..... 25
7 lbs Rotted Lima Beans..... 25
6 cans Concentrated Lye..... 25
1 gallon New Orleans Molasses..... 29
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Will ship this honey to any station or landing point, in 300 miles of Pittsburgh, freight prepaid, on receipt of..... 1 25
6-foot Stepladder, complete..... 85
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2-lb can best Baking Powder in the United States for..... 25
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- Nice finished Waists, pleated back and front, 25c, 45c, 74c, 98c.
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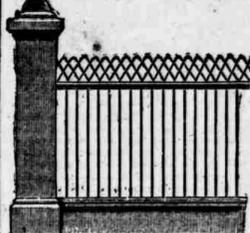
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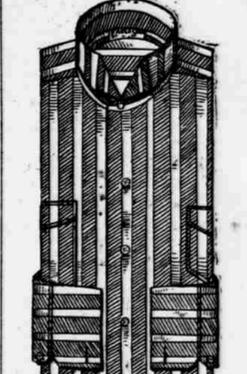
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Beautiful Parasols.



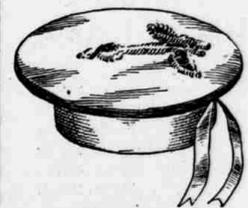
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